

## REMARKS

Claims 1-11 are currently pending in the application. Claims 1 and 9 are independent claims. By this amendment, claim 9 has been amended to correct a minor informality. No new matter has been added. Reconsideration and withdrawal of all pending rejections in view of the above amendments and following remarks is respectfully requested.

### ***Present Amendment is proper for entry***

Applicants respectfully submit that the instant amendment is proper for entry after final rejection. Applicants note that no question of new matter is presented nor are any new issues raised in entering the instant amendment of the claims and that no new search would be required. Moreover, Applicants submit that the instant amendment places the application in condition for allowance, or at least in better form for appeal. Accordingly, Applicants request the Examiner to enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims. Applicants note, in particular, the claims have been amended only to correct some minor informalities.

### ***35 U.S.C. § 102 Rejection***

Claims 1 and 4-8 are rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,892,917 issued to Myerson ("Myerson"). This rejection is respectfully traversed.

In order for a rejection under 35 U.S.C. § 102(b) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(b) rejection improper.

Claim 1 is directed to a method for adapting to change in a demand on a web server. In particular, representative claim 1 recites, in pertinent part:

associating session tracking objects with browsers that access a web server, wherein the session tracking objects include identifications of web pages requested by the browsers; and  
analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server.

Such features are not shown or suggested by Myerson.

Applicants submit that Myerson is directed to a system and method for analyzing a Web site log file and generating an expanded log file that compensates for information caching and gateway based Web site access (column 2, lines 49-52). In particular, Myerson discloses a distributed computer system 100 having many client computers 102 and at least one information server computer 104 (see column 3, lines 64-67).

Contrary to the present disclosed invention, Myerson does not disclose or even suggest analyzing any information to *determine caching priorities* as recited, *inter alia*, by claim 1. More specifically, the present invention will determine caching priorities (as shown in figure 3 of the instant specification) based on analyzing the identifications of web pages requested by browsers (as shown in figure 2 of the instant specification). Myerson will only compensate the web log for caching that is done in other systems and will not modify the web server application nor the Web source files (column 4, lines 31-34).

The Examiner indicates that Myerson determines caching priorities in the form of weight data which is discussed in column 3, lines 25-27; column 4, lines 62-67; and column 6, lines 54-61. However, the weight data described in Myerson, such as in the above-noted sections, is not used to determine caching priorities. The Myerson weight data uses a reference log file 144 to add "weight data" to a directed graph 146 (see FIG. 2) so as to represent the "true" or historical relative frequency of requests for the various objects associated with the Web (Column 4, lines 62-65). In other words, the Myerson weight data is used to create a more accurate measure of a frequency of requests.

For example, col. 6, lines 54-61 merely states the following:

Referring to FIG. 5 and the pseudocode shown in Table 1, the log file expansion procedure begins by accessing all the objects associated with the Web site pages and building a directed graph 146 of all the objects at the site, and then using the reference log file 144 to add "weight data" to the directed graph 146

(see FIG. 2) so as to represent the "true" or historical relative frequency of requests for the various objects associated with the Web site (step 250).

While such language discloses a system which can determine "true" or historical relative frequency of requests for the various objects associated with a Web site, such language is hardly suggestive of analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server. Nor has the Examiner explained any equivalency between this language and the feature recited in claim 1.

Furthermore, col. 4, lines 62-67 merely states the following:

Referring to FIG. 2, the directed graph file 146 stores data representing a directed graph of all the objects at the Web site, as well as "weight data" representing the relative frequency of requests for the various objects associated with the Web site. In particular, for each node of the directed graph, the weight data in the directed graph includes:

Again, such language is hardly suggestive of analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server and the Examiner has failed to explained any equivalency between such language and the feature recited in claim 1.

Finally, col. 3, lines 25-27 merely states the following:

client accessible objects stored on the server computer, as well as instructions for generating current object request frequency data based on the objects referenced by the supplemented sequence of log records.

Clearly, such language merely broadly states that objects can be stored on a web server computer. There is no mention of storing such objects on the cache memory of the web server, much less, analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server and the Examiner has failed to explained any equivalency between such language and the feature recited in claim 1.

Applicants have carefully reviewed each of the Examiner's assertions and the full disclosure in Myerson and find that Myerson has no disclosure or suggestion with

regard to analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server. Applicants emphasize that Myerson does not even disclose or suggest a system that manages the cache memory of a web server in order to ensure that only web pages most likely to be requested by the browsers are kept in the cache memory of the web server. As such, it cannot possibly disclose or suggest analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server. As the Examiner will note, in order to determine caching priorities in a web server, at the very least, one must utilize a web server having a cache memory and also determine caching priorities of that memory.

With regard to dependent claims 4-8, Applicants note that claims 4-8 depend from allowable claim 1, and as such, include all the elements thereof. Because claim 1 recites at least one novel element (e.g., analyzing to *determine caching priorities*), not disclosed in Myerson, claims 4-8 are also allowable. Moreover, claims 4-8 recite additional features including, *inter alia*, wherein the session tracking objects are HTTP session objects; wherein the caching priorities are proportional to relative frequencies of browser requests for web pages; wherein the caching priorities are proportional to recency of browser requests for web pages; wherein the act of analyzing is performed periodically; and wherein the act of analyzing is performed in response to a triggering event, not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to withdraw the rejection and pass claims 4-8 to issue.

### **35 U.S.C. § 103 Rejection**

#### *Claims 2 and 3*

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Claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myerson in view of U. S. Patent Application No. 2003/0041143 issued to Ronald, *et al.* ("Ronald"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants note that claims 2 and 3 depend from allowable claim 1, and as such, include all the elements thereof.

As explained above, Myerson fails to disclose or suggest analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server.

Applicants submits that Ronald fails to cure the deficiencies of Myerson and similarly fails to disclose or suggest analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server. Ronald merely discloses a system and method for obtaining demographic information about network users (see paragraph [0001]). Furthermore, there is no disclosure in Ronald with regard to, among other things recited in claim 1, analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server. Nor has the Examiner identified any such disclosure. As such, there can be no motivation to combine these references.

Furthermore, claims 2 and 3 recite additional features which are clearly not disclosed or suggested by any proper combination of Myerson and Ronald and the Examiner has not shown otherwise.

Accordingly, the Examiner is respectfully requested to withdraw the rejection and pass claims 2 and 3 to issue

#### *Claims 9-11*

Claims 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myerson in view of U. S. Patent No. 6,415,368 issued to Glance, *et al.* ("Glance"). Applicants respectfully traverse this rejection for at least the following reasons.

Claim 9 is directed to a method for adapting to change in demand on a web server. In particular, representative claim 9 recites, in pertinent part:

analyzing the identifications of web pages requested by the browsers to determine caching priorities for the server; and  
altering a server cache responsive to the caching priorities.

Such features are not shown or suggested in the combination of Myerson in view of Glance.

Unlike the instant invention, Myerson is directed to a system and method for analyzing a Web site log file and generating an expanded log file that compensates for information caching and gateway based Web site access (column 2, lines 49-52). As explained above, Myerson does not even disclose or suggest a system that manages the cache memory of a web server in order to ensure that only web pages most likely to be requested by the browsers are kept in the cache memory of the web server. As such, it cannot possibly disclose or suggest analyzing the identifications of web pages requested by the browsers to determine caching priorities for the web server. As the Examiner will note, in order to determine caching priorities in a web server, at the very least, one must utilize a web server having a cache memory and also determine caching priorities of that memory. Nor has the Examiner identified any language in Myerson which even remote disclose or suggest altering a server cache responsive to the caching priorities.

Applicants further submit that Glance merely discloses a system and method of caching based on a recommender system. The Glance system employs a democratic caching generally shown by reference numeral 10. In particular, the Glance system 10 includes a computer 12 having a processor 22 and a cache memory 24. The recommender system 16 provides value information pertaining to items to be stored in cache 24 based on user input (column 4, lines 43-53) that includes implicit site recommendations (column 5, lines 24-55) and explicit URL recommendations (column 5, lines 65 et seq.). Thus, Glance does not determine caching priorities for the server by analyzing the identifications of web pages requested by the browsers.

As Glance fails to cure the deficiencies of Myerson, there can be no motivation to combine these references. Furthermore, even if Myerson and Glance were combined, the combination would not result in the invention as recited in claim 9 including, *inter alia*, analyzing the identifications of web pages requested by the browsers to determine caching priorities for the server; and altering a server cache responsive to the caching priorities.

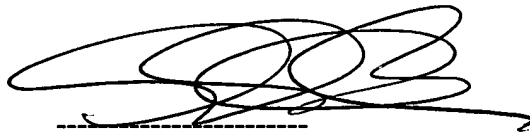
Because, there is no suggestion or disclosure in Myerson and Glance separately or in any proper combination that render obvious the features of the present claimed

invention, the Examiner is respectfully requested to withdraw the rejection under 35 U.S.C. § 103. Thus, claim 9 is allowable over the combination of Myerson in view of Glance. Moreover, claims 10 and 11 depend from claim 9 and are also allowable for the same reasons as claim 9, as well as for its added features.

### CONCLUSIONS

In view of the foregoing amendments and remarks, Applicants submit that all of the rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **IBM Deposit Account No. 09-0457 (Endicott)**.

Respectfully submitted,  
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